

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

SHELDON G. ADELSON,

Plaintiff,

v.

MOSHE HANANEL,

Defendant.

Docket No.: 04CV-1035RCL

AGENDA AND PRE-TRIAL SCHEDULE FOR SCHEDULING CONFERENCE

Proposed by Plaintiff

1. Agenda

1.1 Motion practice

1.1.1 Presently anticipated motions

1.1.2 Disposition of Pending Motions

1.1.3 Limitation on discovery

1.1.4 Schedule to Trial

2. Proposed Schedule

2.1 Motions

2.1.1 Defendant's motion to dismiss forum non conveniens January 2,

2006

2.1.2 Plaintiff's Response January 20, 2006

2.1.3 Dispositive Motions: May 5, 2006

2.2 Discovery

2.2.1 No additional discovery from Hananel or Adelson

2.2.2 Other discovery; Parties shall disclose all persons whom they reasonably expect to call as witnesses by March 1 and shall disclose the subject matter of their expected testimony

2.2.3 Deposition of potential witnesses may not be taken unless the notice describes the topics to be covered with "reasonable particularity" as required under F.R.C.P. Rule 30(b)(6) were applicable.

2.2.3.1 A party who believes that the topics are unnecessarily burdensome and irrelevant shall resolve the issue by agreement or, failing an agreement, by a motion for a protective order promptly made before the date of the deposition.

2.2.4 No deposition may exceed five hours (exclusive of breaks and recess for lunch) except by agreement or by order of the court for good cause shown. If the deposition is of a witness who requires a translator, the deposition shall not exceed 10 hours, except by agreement or by order of the court for good cause shown. If the deposition is of a witness who requires a translator, the deposition shall not exceed 10 hours.

2.2.5 Witnesses not disclosed by March 1 may only be used if they are made necessary to meet the testimony of witnesses previously disclosed and shall be disclosed promptly, but not later than May 1, except for good cause shown or by agreement.

2.2.6 All paper discovery (other than depositions by written interrogatories, which are to be governed by sections 2.2-2.4) shall be served by February 15, 2006

2.2.7 All depositions shall be completed (noticed and closed) by April 1, 2006, except for depositions in foreign countries taken using the procedures of the Hague Convention For Obtaining Evidence, which depositions must be completed within two months, except for good cause shown or by agreement, after the Foreign authority issues its process for assistance.

2.3 Final Pre-trial conference not less than 30 days before Trial.

2.3.1 Other pre-trial or status conferences as needed

3. Trial by The Magistrate

3.1 The plaintiff will agree to a trial before MJ Sorokin, but reserves decision should the court wish to refer the case to a different Judge Magistrate

Proposed by Defendant

The Defendant Moshe Hananel ("Hananel") respectfully alludes to his pending Motion to Dismiss for Forum Non Conveniens and supporting papers as grounds for postponing the

scheduling of discovery and other pre-trial proceedings until a reasonable time following the Court's decision on his Motion to Dismiss. The Court authorized the filing of this renewed motion, after a decision was made on jurisdiction. Hananel also notes that, in response to the Plaintiff's attempts to proceed with expensive proposed discovery, he has filed a Motion to Postpone Discovery (which sets forth in some detail the grounds for postponement) and Oppositions to Adelson's motions for letters rogatory to take depositions in Macau, China, seeking denial without prejudice to their renewal following the Court's decision on Hananel's Motion to Dismiss. He has also filed and served a Motion to Further Extend Time to Answer, requesting that his Answer to Count 1 of the Complaint be filed twenty days after decision on the Motion to Dismiss. Hananel respectfully suggests that the Court re-set the scheduling conference for such time.

Respectfully submitted,

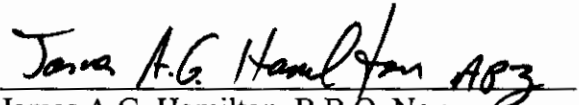
The Plaintiff,
SHELDON G. ADELSON,
By his attorneys,



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Respectfully submitted,

The Defendant,
MOSHE HANANEL,
By his attorneys,



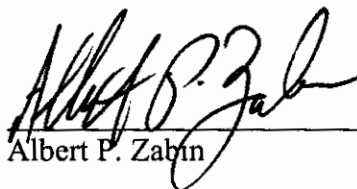
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Dated: December 22, 2005

CERTIFICATE OF SERVICE

I, Albert P. Zabin, do hereby certify that I served a copy of the foregoing on all counsel of record listed below via facsimile and first class mail, postage prepaid hand delivery this 22nd day of December 2005.

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Albert P. Zabin